

**ENGINEERING DIRECTIVES AND STANDARDS****Volume :** IV**Revision Date :** 03/09/1992**Chapter :** 3**Subject :** SIDEWALKS IN HIGHWAY RIGHTS-OF-WAY BY PERMIT**Section :** 1**Directive :** 3

1. **PURPOSE:** The purpose of this memorandum is to establish uniform policy and procedures for the construction and maintenance of sidewalks that are in highway rights-of-way by permit.

2. **SCOPE:** This directive affects all areas of maintenance within the Department.

3. **POLICY AND PROCEDURES:**

A. **Construction:**

Applications for permits to construct sidewalks should be carefully reviewed by the District and only approved under certain conditions.

(1) There must be a demonstrated need for the sidewalks based on projected pedestrian usage.

(2) The sidewalks will connect already existing sidewalks within the right-of-way, provide continuity, or satisfy other extenuating needs. Short isolated sections of sidewalk should, in general, not be approved.

(3) Each situation must be evaluated on its own merits and approved only when the District Administrator believes that adequate justification exists and design details and location are to his satisfaction.

(4) Cities are not to be allowed to issue permits for the construction of sidewalks in state highway rights-of-way. Any city that has been issuing this type of permit should be contacted and advised of this. The cities should be encouraged to require developers to construct sidewalks on private property when issuing building permits.

B. **Maintenance:**

Permits to a municipal or parish authority for the construction of a pedestrian sidewalk must stipulate that the Department is in no way responsible for pedestrian accidents and all maintenance of the sidewalk is to be the responsibility of the applicant. DOTD personnel who become aware of deficiencies in sidewalk maintenance should request the appropriate local agency to make repairs.

4. **OTHER ISSUANCES AFFECTED:** This directive supersedes EDSM No. IV.3.1.3 dated February 4, 1986.

5. **EFFECTIVE DATE:** This policy is effective on receipt of this directive.

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